

**ENTERED**

July 16, 2020

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION****ARGONAUT INSURANCE COMPANY,***Plaintiff*

v.

**RIO MARINE, INC.,  
JOHN BLUDWORTH SHIPYARD, LLC, and  
PERFORMANCE PERSONNEL, LLC***Defendants*§  
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§**Civil Action No. 4:19-CV-02296****ORDER**

A Final Order is entered in this case, in accordance with the Court's Memorandum and Opinion dated July 2, 2020 (Docket Entry No. 53) and Order dated July 2, 2020 (Docket Entry 52). Accordingly, it is ORDERED as follows:

1. Argonaut Insurance Company's Motion for Summary Judgment (Docket Entry No. 23) is GRANTED.
2. John Bludworth Shipyard, LLC's Motion for Partial Summary Judgment (Docket Entry No. 24) is DENIED.
3. Rio Marine Inc's Motion for Partial Summary Judgment (Docket Entry No. 25.) is DENIED.
4. Starstone National Insurance Company's Motion for Summary Judgment (Docket Entry No. 39) is DISMISSED as moot.

Accordingly, the Court has ORDERED that Argonaut Insurance Company has no duty to defend or indemnify Performance Personnel, LLC, John Bludworth Shipyard, LLC or Rio Marine, Inc. in the lawsuit *Victor Martinez aka Noe Medrano v. Rio Marine, Inc. and John Bludworth*

*Shipyard, LLC*; Cause no. 2018 CCV-61604-3 in the County Court at Law No.3, Nueces County, Texas (“Martinez Lawsuit”).

The Court has granted Argonaut’s claim for declaratory judgment, and denied the claims made by John Bludworth Shipyard, Rio Marine, and Performance Personnel against Argonaut and under the Argonaut policies. All other claims by any party to this action, including the Counterclaims filed by John Bludworth Shipyards and Rio Marine, are dismissed.

As nothing remains to be resolved, the Court renders final judgment pursuant to Federal Rule of Civil Procedure 58.

It is ORDERED that each party bear its own costs.

This is a final and appealable order, which disposes of all parties and all claims.

It is FURTHER ORDERED that this case is closed.

Signed on this 16th day of July, 2020 at Houston, Texas



Hon. Lee H. Rosenthal  
Chief United States District Judge

APPROVED AS TO FORM:

/s/ Stephen A. Melendi  
Stephen A. Melendi  
***Counsel for Argonaut Insurance Company***

/s/ Michael A. Orlando, Jr.  
Michael A. Orlando, Jr.  
***Counsel for John Bludworth Shipyard, LLC***

/s/ Marc B. Johnson  
Marc B. Johnson  
***Counsel for Performance Personnel, LLC***

/s/ Linda Brooks

Linda Brooks

***Counsel for Rio Marine, Inc.***

/s/ Frank Piccolo

Frank Piccolo

***Counsel for Starstone National Insurance Company***